

CASE NO. PD-0804-19

*IN THE COURT OF CRIMINAL APPEALS
AT AUSTIN, TEXAS*

FILED
COURT OF CRIMINAL APPEALS
12/23/2019
DEANA WILLIAMSON, CLERK

**JOE LUIS BECERRA,
Appellant**

VS.

**STATE OF TEXAS,
Appellee**

**APPELLANT’S FIRST MOTION TO
EXTEND TIME TO FILE MERIT BRIEF**

JOE LUIS BECERRA, Appellant, files this Motion to Extend Time to File Merit Brief pursuant to TEX.R.APP.P. 10.5(b) and would show the Court the following:

On November 20, 2019 this Court granted Appellant’s Petition for Discretionary Review and ordered Appellant’s Brief on the Merits (“Merit Brief”) to be filed within 30 days. The deadline to file the Merit Brief is Friday, December 20, 2019. Petitioner is requesting a 3-day extension.

This request is based on the following facts which prevent counsel for Appellant from preparing the Merit Brief by the current deadline:

- *State of Texas v. Rod Sterling Clanton*, Cause No. 17-04912-CRF-85, 85th District Court, Brazos County, Texas (Murder) – Preparation for Jury Trial the week of November 4-10, 2019, and five complete trial

days, November 11-15, 2019, before pleading to Manslaughter on Friday, November 15, 2019;

- *State of Texas v. Edward Jerome Huff*, Cause No. 17-04889-CRF-272, 272nd District Court, Brazos County, Texas (Habitual Offender sentenced to 25 years in TDCJ following jury trial) – Preparation for Motion for New Trial evidentiary hearing on November 21, 2019, and the morning of November 22, 2019, including attending, presenting evidence, and arguing grounds asserted on those days;
- *Samuel Crawford Patterson v. State of Texas*, Cause No. 10-19-00243-CR, 10th Court of Appeals – Drafted and filed Appellant’s Brief on November 27, 2019;
- *In the Matter of P.T., A Child*, Cause No. 727-J-18, 272nd District Court of Brazos County, Texas (Aggravated Sexual Assault [Ct. 1]; Indecency with a Child by Contact [Ct. 2]) – Preparation for Jury Trial; Attend two-day jury trial on December 3 & 4, 2019.

Counsel has been diligently working on drafting the Merit Brief and is close to a complete draft. Appellant seeks a 3-day extension of the current deadline in which to file his Merit Brief. The Merit Brief would be due on or before Monday, December 23, 2019.

This is counsel’s first request for an extension of time to file Appellant’s Merit Brief.

THEREFORE, Appellant requests the following:

1. Granting of Appellant’s Motion for Extension of Time to File Merit Brief;
2. Extend the time to file the Merit Brief up to and including Monday, December 23, 2019;
3. General relief.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above has been delivered *via* electronic filing on this the 19th day of December, 2019 to the following:

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